IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO.566 (S/S) 2005

Yudh Vir Singh, S/o Sri Balvant Singh, R/o Bhwana Nagla, P.O. Kela Khera, District Udham Singh Nagar. .....Petitioner.

Versus

1. State of Uttaranchal, through Registrar Cooperative Societies, Dehradun, Uttaranchal.
2. Assistant Registrar Cooperative Society, Kelakhera, Udham Singh Nagar. .....Respondents.

Sri Udyog Shukla, Advocate for the petitioner.
Learned Standing Counsel for the State

Dated: 23.02.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondents to stay the operation of the impugned order dated 23.04.2005 (Annexure No. 5 to the writ petition) passed by the respondent no.4 till the pendency of the writ petition.

On 13th May, 2005, following order was passed in the writ petition:-

"Heard Sh. Udhog Shukla for the petitioner and Standing Counsel for the respondents. Standing Counsel prays for and is granted three weeks time to file counter affidavit. List thereafter.

In the meantime order dated 23.4.2005 shall remain stayed. However, proceeding shall continue but no final order shall be passed."

Learned counsel for the respondents has submitted that the inquiry has already been completed and only the disciplinary proceedings is pending.

In view of the averments made by counsel both the parties, the Inquiry Officer as well as disciplinary authority is directed to complete the proceedings within a period of three months from the date of presentation of the certified copy of the order. The respondents are directed to pay the salary and dues to the petitioner.

In the meantime, the interim order dated 13th May, 2005 shall remain continue.

Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

23.02.2006
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